

## **CITY OF BELMONT**

### **PLANNING COMMISSION**

#### **ACTION MINUTES**

**TUESDAY, MAY 20, 2008, 7:00 PM**

Chair Parsons called the meeting to order at 7:00 p.m. at One Twin Pines Lane, City Hall Council Chambers.

#### **1. ROLL CALL**

Commissioners Present: Parsons, Horton, Frautschi, Mayer, McKenzie, Mercer, Reed

Commissioners Absent: None

Staff Present: Community Development Director de Melo (CDD), Senior Planner DiDonato (SP), Associate Planner Walker (AP), Assistant Planner Gill (AP), City Attorney Zafferano (CA), Recording Secretary Flores (RS)

#### **2. AGENDA AMENDMENTS - None**

#### **3. COMMUNITY FORUM (Public Comments) - None**

#### **4. CONSENT CALENDAR**

##### **4A. Minutes of April 15, 2008**

Commissioner Mercer requested that the wording of the 2nd paragraph on page 2 be changed to reflect that she did not "determine" the location of the tree; staff provided that information in response to her question.

MOTION: By Commissioner Mercer, seconded by Commissioner Frautschi, to approve the Minutes of Tuesday, April 15, 2008 as corrected.

Ayes: Mercer, Frautschi, Mayer, McKenzie, Reed, Horton, Parsons

Noes: None

Motion passed 7/0

##### **4B. Ralston Avenue Median Tree Planting Project**

CDD de Melo summarized the staff memorandum, noting that the current phase of the project is limited to the installation of trees, and that the second phase will also come to the Commission for counsel at a later date. Gilbert Yau, Public Works Engineering, and Parks and Recreation Interim Co-Director (ICD) Daniel Ourtiague, were available for questions and feedback.

Chair Parsons confirmed with ICD Ourtiague the type of trees to be installed. He suggested that before they start planting they need to be aware of the overhead power lines that cut across at an angle at the upper end near Cipriani. ICD Ourtiague responded that he will call that to the attention of the landscape architect. He added that this is a Public Works irrigation construction project where staff felt it would be a good time and an appropriate use of tree fund money to get trees established along the Ralston corridor, and that the Parks and Rec Commission supported the project. Responding to Commissioner Frautschi, he stated that the expenditure from the tree fund is estimated to be about \$12,000. Savings will be realized because the lane closure, crews and equipment will be there for the construction project. Commissioner Frautschi asked if there will be soil amendments on the site. Senior Civil Engineer Yau responded that, according to the designer, they will take a test to determine whether the soil is suitable at the time. Commissioner McKenzie asked if any of the trees will be torn out during Phase 2. ICD Ourtiague responded that he did not anticipate that as Phase 2 will probably be lower growing shrubs and ground cover that will go around the trees. Commissioner Mercer asked if they are using a mulch topper to keep

the weeds down, calling attention to the problem that occurs during the rainy season when bark washes across the street. ICD Ourtiague replied that the way to remedy that would be to be careful with the elevation of the soil and the bark in relation to the curb. Commissioner Mercer thought it would be great if he could look after that.

Chair Parsons asked for and received confirmation that the Commission concurred with the above comments.

CDD de Melo stated that this item is going to City Council at their next meeting and that the award of contract should be within 90 days. Senior Civil Engineer Yau added that their plan is to open bids mid-June so that the project can start in the middle of July. They want to avoid lane closures after the schools reopen in September, and assume it will take about a month and a half to finish.

Commissioner Mercer expressed her appreciation to ICD Ourtiague for initiating this project, adding that they've waited a long time for these trees.

## 5. PUBLIC HEARINGS:

### 5A. PUBLIC HEARING - 1727 Terrace Drive

To consider a Conditional Use Permit to legalize the conversion of 498 square feet of existing living space into a second unit. The project proposal will not result in additional floor area for the site, or increase the size of the existing 3,172 square foot single family residence.

(Appl. No. 2007-0070)

APN: 044-332-270; Zoned: R-1B – Single Family Residential

CEQA Status: Categorical Exemption per Section 15303, Class 3(a)

Applicant/Owner: Glen Guglielmina

PROJECT PLANNER: Rob Gill, 650-598-4204

AP Gill summarized the staff report, recommending approval with the conditions attached.

Commissioner Mercer asked if the building permit issued in 2002 resulted in this unit downstairs. AP Gill responded that originally it was a game room that evolved into a second unit. The homeowner then contacted the Building Division to let them know what had transpired and, based on that conversation, the Building Division required the applicant to either apply for a CUP or remove any elements of a second unit. He confirmed that the original permit did not include the kitchen unit; it was for a game room with a wet bar.

Commissioner Mayer asked for clarification of the parking requirements. AP Gill explained that the zoning code only requires two covered spaces and two uncovered spaces for the single-family home and the second unit. There is no additional parking requirement for the second unit in a single-family residential zoned area. If there was a one-car garage and a one-car driveway, a 20x20 space interior for covered parking and a driveway at least 18' x 17' would be required. Commissioner Mayer asked if the two parking places off the street belong to the subject property. AP Gill said that it was his guess that the car in the photo is parked on the City right-of-way and that it was not parked against the garage door. Discussion ensued regarding the parking pad, which appears to be mostly on the City right-of-way. AP Gill was not aware of what permits were issued for that parking space but it was on the original 2002 site plan.

Commissioner Frautschi asked the applicant if he obtained an encroachment permit for the street light that is on the left side of his property. Glen Guglielmina, owner/applicant, stated that he had not realized that he needed a permit to put the streetlight on that part of the property because he believed it is on his side of the property line. Commissioner Frautschi stated that he did not believe it is on his property and explained that a lot of people think they own the property to the sidewalk or to the street but in some cases they do not. He added that the City tries to be sensitive about strong lights in neighborhoods, he liked the light but that an encroachment permit might be required. AP Gill agreed to work with Public Works to determine if it is on the City's right-of-way, and if it is they'll make sure that the proper procedure takes place.

Commissioner McKenzie asked the applicant to explain some of the history of the project. Mr. Guglielmina said that he is a single father trying to raise two boys and work full time. He bought a fixer-upper and got the necessary permits to basically rebuild the house and it has taken him a long time to do it. He has

worked with the Building Department to build it and then try to finalize all the requirements. It has been a 6-month process to get all of the necessary documents put together and he was hopeful that it will be finished soon. He stated that he had always intended to have a second unit and that he got advice from a previous person in the Planning Department that there was a rule change that would be taking place regarding secondary units, and he was told to wait for that whole process to take place. A lot of people have been involved in his project.

Chair Parsons opened the Public Hearing. No one came forward to speak.

MOTION: By Commissioner Frautschi, seconded by Commissioner McKenzie, to close the Public Hearing. Motion passed 7/0 by a show of hands.

Commissioner Frautschi stated that he likes the project and was glad that Mr. Guglielmina is legalizing the secondary unit, adding that this was the most distressed house on the block before Mr. Guglielmina bought it. He believed that the retaining work that was done in the front was done because the lot was actually giving away, and that everything was done administratively under Director Ewing. He cautioned the applicant that secondary units increase parking in neighborhoods so he hoped that the applicant would make his driveway and garage available for parking vehicles. He added that 15 years ago there were "No Parking" signs on the uphill side of Terrace Drive; when cars are parked on both sides it becomes an obstacle course. He hoped that the applicant would be sensitive about that and would check on getting an encroachment permit for the light.

Commissioner Mercer was also pleased that it is getting documented and legalized, and she wished all of the unofficial second units in town would do the same.

Commissioners McKenzie and Vice Chair Horton concurred.

Commissioner Mayer concurred and added that he found it strange that it is perfectly legal to add a second unit to your home and not increase parking, but it's not legal to add a so-called bedroom to your home when it's a non-conforming garage and have to then expand your parking. The parking on that street is terrible and hoped the applicant would make a part of his parking available.

Commissioner Reed echoed what everyone said and thanked the applicant for coming forward and legalizing.

CDD de Melo reminded the Commission that the applicant is mandated via Section 8.25 of the Zoning Code, which is the Parking Ordinance, that garage spaces need to be made open and available for parking at all times. The two parking spaces in front of the home as well as the two in the garage need to be open and available for parking at all times.

MOTION: By Commissioner McKenzie, seconded by Vice Chair Horton, to adopt the Resolution approving a Conditional Use Permit to Establish a Secondary Dwelling unit at 1727 Terrace Drive (Appl. No.07-0070), and Exhibit A, Conditions, attached.

Ayes: McKenzie, Horton, Mercer, Mayer, Frautschi, Reed, Parsons  
Noes: None

Motion passed 7/0

Chair Parsons stated that this item can be appealed to City Council within 10 calendar days.

#### 5B. PUBLIC HEARING – 1114 Ladera Way

The applicant requests Single Family Design Review approval to construct a 1,368 square foot addition to the existing 2,132 square foot single family residence. The resulting home would be 3,500 square feet, which is the maximum permitted by the zoning district for the site.

(Appl. No. 2008-0003)

APN: 045-181-070; Zoned: R-1B (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15303

Applicants: Supriya Pradhan , Team 2 Architects Owner: Sheng Li  
PROJECT PLANNER: Damon DiDonato, 650-637-2908

SP DiDonato summarized the staff report, adding that Chair Parsons had noted earlier in the day that it was unclear whether the family room on the existing home was built as part of the original construction, the concern being if the foundation would be structurally sufficient to hold up the second-story addition. Since further review of City records could not establish whether that was in fact built with the original construction, staff had prepared an additional condition of approval that would require that a civil engineer submit an analysis of the foundation that would pay particular attention to the area of the family room. With this added condition and the conditions proposed as part of the staff report, staff recommended approval of the project.

Chair Parsons asked for clarification of the landscaping proposal with regard to bulk. SP DiDonato explained that staff did not think the proposed bottlebrush and other trees would be effective in screening the upper story addition as seen from the street, and asked the City Arborist to make some recommendations that would be more appropriate. These are on pages 9 and 10 of the attached arborist report. Fern Pine was staff's recommendation but since it is not a native species the Commission may want to have the landscape plan returned to them in order to reflect a change to a native species.

Responding to Commissioner Reed's concern that the building goes right up to the size and height limits, SP DiDonato explained the safeguards that are built into the Building Permit process to assure that the house is conforming when built.

Responding to Commissioner Mercer's question, SP DiDonato stated that the front porch is not on piers and that it is projecting 6' into the 30' setback. She also raised a question as to the projected height of the plantings proposed for the right-hand side of the driveway. Staff will investigate that prior to return of the final landscape plan.

Supriya Pradhan, architect, explained that the columns visible in the front elevation are of varying heights with no wall behind them – they are free-standing columns holding up a floating deck. The same stone veneer that they have used on the side of the garage will wrap around on the wall that is behind the deck, and they will screen off the front with landscaping.

Commissioner Frautschi asked why she designed the master bedroom suite so that one has to walk through the closet to get to the bathroom. Ms. Pradhan responded that it is done in a lot of homes and the owner wanted to keep the master bedroom to the rear of the house where it has a view of the back yard. Commissioner Frautschi suggested that they think about switching the bathroom and closet so that you would come into the bathroom first. He added that the area under the front steps would be an opportunity to create a small storage area perhaps for garden implements.

Chair Parsons opened the Public Hearing. No one came forward to speak.

MOTION: By Commissioner Mayer, seconded by Vice Chair Horton, to close the Public Hearing. Motion passed 7/0 by a show of hands.

Commissioner Reed urged caution because the house is at the limit in both height and size and any mistake or changes in construction could cause problems.

Vice Chair Horton commented that she thinks the proposal is an overall improvement to the neighborhood inventory, which is all very similar, and also urged caution as far as the size is concerned.

Commissioner McKenzie asked which color is going to be used. Ms. Pradhan responded that their printers could not exactly match the colors they plan to use, but it is beige with white trim and brown windows, and offered to provide color chips if desired. Commissioner McKenzie added that he was disappointed in the architectural detail on the front of the house – there could have been more imagination applied. Otherwise he felt it is a nice compact improvement to the neighborhood as planned.

Commissioner Mercer had no overall objections to the project, adding that it is rather plain but a step up from what it is now. She liked the use of the stone and the large tree in front, commenting that it better survive construction. She suggested that some of the trees on the right side of the driveway could be taller as they go back to the house to soften the right-hand corner. She asked staff to double check the project data chart on setbacks because it shows the proposed right side setback is 26', which must be a typo. She suggested that, if it is not already included, there should be a condition that protects the City if they come back with more square footage.

CDD de Melo reiterated that SP DiDonato's explanation about cross-checks will be in place and that the project needs to be built according to the stamped set of plans. In addition, they have the tool of code enforcement to make sure that the project complies with the approved building permit set and they will continue to cross-check the project throughout its inspection process to confirm that it does not go above the limits.

Commissioner Frautschi felt it is a nice re-do of this house but agreed that the front is a little plain. He suggested that an increase in the size of the lower fascia boards on the windows would ground the house and that they consider adding decorative shutters. He liked the incorporation of stone and the design of the public area. He cautioned the applicant to be aware that the crawl space next to the garage cannot be converted to habitable space and that the arbor in the back cannot be totally glassed in as that would increase the square footage.

Chair Parsons suggested that, from a design standpoint, they would want the larger trees on the right side by the driveway and smaller trees on the left side to bring the level of the house down, and proposed a condition to that effect. He concurred with Commissioner Frautschi's suggestions to make the house more attractive physically.

MOTION: By Commissioner Mayer, seconded by Commissioner Mercer, to adopt the Resolution approving for the Single-Family Design Review at 1114 Ladera Way (Appl. No. 2008-0003) with the additional conditions that 1) the landscape planting be adjusted to show a large tree on the right side front of the property and a smaller tree or trees on the left side, and 2) the requirement that a California licensed civil engineer provide analysis of the foundation of the home addressing its ability to support the proposed second-story addition.

Ayes: Mayer, Mercer, McKenzie, Frautschi, Reed, Horton, Parsons  
Noes: None

Motion passed 7/0

Chair Parsons stated that this item can be appealed to the City Council within 10 calendar days.

#### 5C. PUBLIC HEARING – 1926 Oak Knoll Drive

The applicant requests Single Family Design Review approval to construct a new 3,356 square-foot single family residence that is below the zoning district permitted 3,500 square feet for the site.

(Appl. No. 2008-0015)

APN: 044-072-380; Zoned: R-1B (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15303

Applicants: Kenneth Hall     Owner: Anne Markle and Toby McMullen

PROJECT PLANNER: Jennifer Walker, 650-595-7453

AP Walker summarized the staff memorandum, recommending approval with the conditions attached.

Vice Chair Horton raised a question regarding the driveway at 1928 possibly curving over onto the property at 1926. She suggested that the applicant should take a look at it and that both property owners should acknowledge that it is something that has been going on for years.

Commissioner Mercer asked if there will be fill underneath the driveway bridge structure. AP Walker responded that she believed there is fill underneath but that it is not a structure that would require a permit in the front yard area. She confirmed that the requirement for maximum slope is 18% .

Commissioner Frautschi stated that he would like the architect to classify the architectural style of the outside of the house. For disclosure purposes, he added that he knows the architect, having worked on a task force with him several years previously.

Chair Parsons disclosed that he also knows the architect since he put an addition on his house.

Ken Hall, applicant/architect for the project, explained the relationship with the existing driveway for the neighboring house, stating that there should not be any interference or cross purposes. There is and always has been a situation where the people living in the house next door cross in front of the subject property but in the public right-of-way, and the applicant or the neighbor have discussed it and think they can work out the situation as far as coming and going. In addition, he will instruct the contractor to take all precautions to avoid blocking their driveway during construction. Regarding the fill at the driveway, he explained that the retaining structure and bridge driveway is needed to protect the integrity of the neighbor's Oak tree. As far as the architectural style, he has been told that he does not have a style and he tried to develop a style that conformed to the owners' wishes. He referred to a house on Ralston across from Notre Dame High School that employs a similar trim, roof style and color and his clients were very excited about the style of that house.

Commissioner Reed asked if the applicant had any concerns about the statement in the Cotton Shires report that says that several soil index properties have not been determined utilizing commonly accepted methods. Mr. Hall replied that it did not concern him because the soils engineer employed by him indicated that the difference came in the method used to obtain the result—percussion vs. drilling—and that a few of Cotton Shires concerns were completely unfounded and he would prove that in his follow up report. He is revising his investigation to meet Cotton Shires recommendations, but he feels very strongly that there will not be any difference in the data.

Commissioner Mercer asked why he had located the house just as close to the street as possible given the minimum length driveway. Mr. Hall explained that the further back you push the garage with the maximum slope the higher the house actually sits in relationship to the ground around it, which for this project would have impacted the overall height of the structure and they wanted to keep it under the 28' maximum height level. Commissioner Mercer verified with Mr. Hall that the slope shown on page 85 is only 9.5%. He added that the other design mitigation that he employed was setting back the rest of the house – the garage is the closest to the street, the front of the rest of the house is several feet further back. There was a balancing act between the maximum height limit and slope of the driveway and bulk/massing of the structure itself, and they all contributed to the siting of the house.

Chair Parsons opened the Public Hearing. No one came forward to speak.

MOTION: By Commissioner McKenzie, seconded by Commissioner Mayer, to close the Public Hearing. Motion passed 7/0 by a show of hands.

Commissioners commented as follows.

Commissioner Frautschi:

- Liked the way the private space flows but he is not a fan of the fireplace. There is a problem with chimney height. Could move it to the far left wall of the living room and have a whole new vantage plus freeing up a whole wall.
- Thought the back railing on the outside side of the house is a little busy.
- Regarding the landscape plan, since it is on Oak Knoll he believed they should plant at least one Oak in the right front area instead of a magnolia or something else.
- Regarding the planters for annuals, they should be sure to have a fence in the entire back area or it will be a feed box for animals.
- Recommend eliminating the lawn area and doing something different just because of the water requirement. He felt they could achieve the same thing by doing some of the lower plantings that they've done in the front right yard with less water requirements.
- Assumed the native erosion control seed area is going to be some kind of wildflower mix, and thought that was a wonderful idea.
- Recommended that they consider plumbago because it is evergreen, a beautiful blue, has done so well on the property, and the deer do not eat it.

- Thought it is a nice “from scratch” design, he could support all the findings, and thanked them for bringing it to the Commission.

Commissioner Mercer:

- Liked the clean lines of the house, loved that it has minimal cut and fill, and liked it on paper and had expected to approve it until she drove up Oak Knoll and realized that it is a very wooded street with the older homes along the downhill side all situated quite below the street. As a result they have actually been able to retain the public views in numerous places from the street.
- The bad news is that the house immediately to the right, which is the newest house on the block, was built without consideration of the older homes, and is right up to the street and all one sees from the street is the garage door and the tail of the car parked there hanging over into what would be the sidewalk area if there was a sidewalk.
- Could not make the first finding with respect to being consistent with the existing development in the neighborhood. She felt that everyone else there had taken into consideration the impact on the street except for the house next door, and she did not want to continue that poor standard.
- Could not make the finding that it minimizes the disruptions of the existing public view.
- Felt strongly that if this house were pushed perhaps 5’ back on the lot it would then drop down several feet, would allow enough room in the front yard to plant that big Oak tree, something that would separate it from the street, and would preserve the public view. The driveway would be a bit steeper but still well within the 18% maximum.
- If this driveway is only 18’ long, which is the absolute minimum, and they cut off the front corner so that the neighbor on the left can drive over it, they will not be able to park a car on the left side of the driveway.
- The front of the lot is approximately 40’ feet wide, so that the house sits edge to edge with almost no side yard. The lot gets wider as it goes back so that if the house were set back even 5’ it would be positioned on a wider spot and increase the distance from the neighbors and from the street.
- As much as she likes the house, she cannot make Finding A.

Commissioner McKenzie:

- Was unable to make a site visit so consequently he could make the necessary findings.
- Found it to be well planned and a well thought through stepped down design on a down slope lot.
- Believed he could speak for others on the Commission that they are glad to see that they are employing solar panels.
- Thought it is a very attractive contemporary design that fits well into this setting and has well planned design elements. Could support the plan.

Vice Chair Horton:

- Could support it and liked the design.
- As someone who lives on a down-slope lot with a driveway that does not allow certain cars into the garage, could support the way this is designed because if you want a car to go into the garage you need to create a situation where it can get in.
- Believed the design is the solution that had to happen on this lot and supported the project.

Commissioner Mayer:

- Could support the project.
- About the down slope issue, he felt that even moving the house back and down is not going to restore the ridge line of public views to any measurable extent. Well designed just the way it is.
- Liked the paint color.
- Could make the findings.

Commissioner Reed:

- Echoed Commissioner McKenzie and thought this is a great house.
- Urged that since they are taking out an Oak tree, since it is Oak Knoll Drive, and given sudden oak death, he thinks it a good idea to plant a replacement Oak tree.

Chair Parsons:

- Thought about the view, especially the one right next door. At the top of the hill there is no view because the houses basically surround the cul de sac. Using his scale, he looked at moving the house 5 or 10 feet further down the hill and decided that would still not lower the house enough that it would significantly save the view. Believed that this is probably the best answer.
- Liked the fact that this is a house that steps down the hill, does not have a lot of hardscape and has hardly

any cut and fill.

- While the style might not be his choice he could make the findings.
- Suggested that, if they can, they place at least one Oak on the property up in the front to mitigate the front of both houses on the right side of the lot.

MOTION: By Commissioner McKenzie, seconded by Commissioner Reed, to adopt the Resolution approving a Single-Family Design Review for 1926 Oak Knoll Drive (Appl. No. 2008-0015), with the attached Exhibit A, Conditions of Project Approval, with the added condition that an Oak Tree be planted on the property.

Ayes: McKenzie, Reed, Mayer, Frautschi, Horton, Parsons  
Noes: Mercer

Motion passed 6/1

Chair Parsons announced that this item can be appealed to the City Council within 10 calendar days.

Chair Parsons called for a 5-minute break.

#### 5D. PUBLIC HEARING – 1000 O'Neill Avenue

To consider a request for a Design Review Permit to rehabilitate of the historic Emmett House at the northwest corner of O'Neill and Sixth Avenue and to consider site improvements, including construction of a two-car detached garage and site landscaping. The Emmett House was relocated from 843 Ralston Avenue. Current Zoning: (PD) Planned Development

APN: 045-261-010, 020, & 030; CEQA Status: Mitigated Negative Declaration

APPLICANT/OWNER: City of Belmont

PROJECT PLANNER: Andrea Ouse, 650-333-3973

CP Ouse summarized the Staff Report, recommending approval of the Design Review permit and adoption of the draft resolution attached. She added that a memorandum answering questions raised by three of the Commissioners earlier that day had been distributed to Commissioners.

CP Ouse answered questions from Commissioners as follows:

- The Canary Island Palm tree is staying
- The vinyl-coated chain-link fence is proposed to be black. Commissioner Frautschi noted that the Downtown Specific Plan (DTSP) stated that "no chain link or rough wood appearance fencing shall be permitted." He stated that they need to look at galvanized, or wood or some kind of other solution.
- Commissioner Frautschi asked if it would be possible to add a small sign that said "The Emmett House Established in 1885 and Reestablished in 2008." CP Ouse thought it was a great idea but referred the suggestion to the historic architect.
- It was her understanding that the intention is that the antique color roofing material would be patched in as necessary.
- Referred Chair Parsons' question to the architect about why the proposed color is inconsistent with what they thought was on there originally.
- Chair Parsons asked if the proposed landscape architecture is consistent with what would have been around the house at that time. CP Oust replied that it is not, and the consulting architect concurred. She added that from the historic photographs it appeared that the Emmett house had fruit trees and perhaps a garden, and was more utilitarian than decorative.
- Commissioner Frautschi commented that Walter Levinson's Arborist Report stated that "none of the author's arborist recommendations for this portion of the site were performed prior to commencement of the resident's relocation work" and that they did not follow his directions. He asked who is managing this project and why that directive of City Council and the Planning Commission was not carried out. CP Oust responded that the Project Manager is currently the Public Works Director, and she concurred that the recommendations had been clear, and that the contractor had been made aware of the shortcomings in not following the recommendations of the arborist. Staff will continue to monitor the situation and hopefully avoid any non-compliant issues in the future.
- Commissioner Frautschi wondered if funds are coming from redevelopment funds or from Public Works budget. CDD de Melo interjected that the issue has been brought to the attention of the City Manager's office and that they are going to be working closely with the contractor and the City arborist, and will schedule a meeting to get them engaged and prepare a contract to have them monitor the on-site protected trees as well as the other recommendations.



Mike Garavalia, preservation architect and project lead for the architectural and engineering work, addressed the Commission, referring to the historic photograph of the building. He pointed out that the wire fence was historic. The one they chose it not a chain link fence but is a 2x4-inch grid. The black vinyl is optional. He believed that a galvanized wire fence would be historically accurate and could be changed without any problem. The Day Lily landscaping is intended to create a layering in front of the fence and would break the view of the fence in half. The earliest paint colors seem to be a white, possibly white wash or primary color, next layer is grayish and then a barn red. They do not have trim colors analyzed but the historic photographs tend to show variations on the grayish or beige theme. The house is large so they do not want to get it too white as it will tend to glow; their intent is to make sure that whatever color is finalized is adjusted for the site and the light conditions. The palette is a traditional palette for a building of that era and they are open to modifying the color scheme. The roof is fairly new and in generally good condition. Responding to Chair Parsons' question, he stated that he believed the original house had a double front door and they tried to use the detailing that would be appropriate for that era of building. Responding to Commissioner Mercer, he stated that he could almost guarantee that the original roof was wood shingles, and that asphalt shingles is a material that is essentially sacrificial – it is acceptable to use an asphalt shingle. They would not mind having the wood roof; fire departments don't like them but State building code would allow them. They were handling this as an affordable way to conserve on funds.

Chair Parsons opened the Public Hearing.

Denny Lawhern, representing the Belmont Historical Society and a Belmont resident, urged the Commission to move on in their professional review of this item – he has been working on the project for nearly 10 years. He thinks it will be a great project. The proposed color scheme is rather bold for him. The original fencing was a wire type and he was not sure how much they would be compromising the historic presentation if they used wood or something else, and the same with the landscaping. He pointed out that the original building was one story and the porch and fence was added on. He urged the Commission to move ahead in some manner and asked that staff fast track getting it back on the foundation since an earthquake would bring it down.

MOTION: By Vice Chair Horton, seconded by Commissioner Frautschi, to close the Public Hearing. Motion passed 7/0 by voice vote.

Chair Parsons noted that the Resolution does not talk about the interior layout and asked if they are basically approving the site plan. CDD de Melo responded that, while typically an interior layout would not fall within the purview of Design Review, the City welcomes comments from the Commission. He added that the City still has not rendered a decision on whether the units will be for sale or rent. He recommended that the Commission proceed with the Design Review entitlement and, if they preferred, reserve discussion about the interior layout as part of the more global discussion relative to the disposition of the units themselves. He did not believe that the Design Review entitlement is directly linked to why the foundation has not been bridged with the building.

For clarification, Vice Chair Horton asked what they are approving at this meeting. CDD de Melo responded that substantial edits to the interior layout of the units that would change window design, door design, pop outs, or if they wanted to completely flip the unit layout, would raise concerns about the integrity of this Design Review. Vice Chair Horton said she did not think that any of the Commissioners believed that any modification whatsoever to the exterior was within their purview. Mr. Garavalia stated that all the windows are essentially in the historic location and are not being modified, and that they will not be double paned but will comply with Title 24. Vice Chair Horton stated that her comments had more to do with the interior layout – the partition locations and components. She was not sure that they could find buyers because it has a 5'-wide master bath and no double sinks in the master bath, for instance; if they are going to invest the money they should do it so that there is actually something there that makes a property appealing to a buyer, maybe even to a renter.

Chair Parsons commented that he did not believe the City had taken a serious look at the layout of the interior. He could vote for the exterior of the building and maybe the landscape architecture the way it is, but could not approve of the interior layouts of the buildings because he did not think they would be saleable in today's market the way they are.

CDD de Melo commented that if the City were to have maintenance responsibility for the lands, it would be a logical link then to not sell the units because it would be difficult to ask someone to buy a unit but then not

have maintenance responsibility for the land. He asked if there would be less concern about the interior layout of the units if the City were to move along the lines of these being two apartment units. Chair Parson stated that he felt that they were awfully far down the road to not have made up their minds on what they are going to do with the property. If the City is going to maintain the landscaping it is going to be highly intense for the City and he did not believe any City maintenance people have even looked at the plan. He also wondered if it is a landscape that would have been around this house when this house was a residence – he felt there probably would have been a lot more lawn, some plants up against the foundation and maybe along the fence, and perhaps a garden and fruit trees. It seemed to him that the City has to make a decision soon as to what they are going to do; it does impact their decision, particularly regarding the landscaping. He also felt that the color needed to be restudied.

Commissioners commented as follows:

Vice Chair Horton:

- The Oak tree is still viable and should be left alone. Perhaps could plant something else.
- The paint color is too strong and needs to be toned down to make it look smaller. The house is big and bulky and white makes it look bigger.
- There are some places in the interior where they can move things around. Living rooms and dining rooms are massive, kitchen and master bathrooms are too small. Suggested maybe renaming the bedrooms. Closets need to be labeled.
- The proposed landscaping will take an immense amount of maintenance. Deer will eat the Day Lilies. The landscaping is lovely but she did not believe City staff could actually maintain it; the City has park lands and wild lands rather than a designed landscape.

Commissioner Mercer:

- The problem is that the house has an identity crisis – is it a country house or city house? She thought it should be a country house since it was built in what was country. Attempts are being made to edge it into a city house with wrought iron fences, fancy little Day Lily landscaping and colors that that one would see on Alamo Square in San Francisco. She liked the galvanized steel fence – that's the country house fence, and the lighter, much quieter color. The landscaping needs to have some very large native Oaks or Redwoods that would have been on the lot when they built this house, the landscaping needs to be much simplified, and suggested the use of decomposed granite for paths, driveways, perhaps a sitting area with a bench. She believed that in terms of its location, its historical origin and the viability of maintaining it, they need to keep the humble feeling of a country house. She understood that very little lawn would save water and mowing, but the variety of plants would be hard to maintain. It could be simplified to some rather attractive looking but more native plantings and a couple of focal pieces by the entryway.
- The house looks rather box like on this lot and needs some tall trees to mitigate the square effect of it sitting down there at the end of the street – something to really help soften it into the surroundings. Would like to see the Palm and the Oak remain, possibly Oaks or Redwoods in the front that look a little more native and will grow tall and soften the boxy corners and the height of the house.
- Thought the grays colors were good or perhaps pale yellows, but not the ones proposed – to her they are French provincial and she sees them in the South of France but not in the woods of Belmont.

Commissioner Frautschi:

- Concurred with most of what Commissioner Mercer said.
- Should not remove the Oak tree that is damaged or the one at the back of the lot that is mentioned in the report.
- The stand of Eucalyptus trees that were at the back of the lot need to be replaced with some trees in the area near the street that will eventually soften the whole thing again.
- Would like the landscape architect to meet with the environmental sustainability teacher at Notre Dame High School regarding plantings by the creek. She has a list of plants that they are currently growing and cultivating that are just perfect for creek banks.
- Agreed that the City could not maintain the landscape plan as proposed. Whatever is done in the landscaping, they need to condition a maintenance agreement, at least for the publicly used spaces. If it is not maintained the original intent is not kept.
- Asked that the original picture of the Emmett House be returned to the screen. Pointed out that there were huge trees that softened the house. None of the things that the landscape architect has suggested will mitigate the height of the building. The landscape was very, very simple—shrubs with a little lawn. In that era they didn't have lawns, they had what were called "stick yards" where it was just dirt and brush, and then they had flower beds. Something more simple would be better.
- The mustard color reminded him of a very bad wedding cake. He said he is partial to creams and

grays. He liked the color it is now, and added that whatever color they choose he hopes it is not the one proposed.

- Agreed that it is more of a country house and felt the landscape plan is too fancy for a plain building.
- The interior has some real issues – a kitchen that is microscopic and bathrooms that you walk through closets to get to.
- They will need to have some sort of landscape maintenance agreement and some sort of understanding that whatever color the house is painted it will stay that color in perpetuity or it will have to come back for some kind of review.
- Did not particularly like the fencing. He would rather see hedges or escallonia or something similar.
- Re-stated his hope for a sign that says “Emmett House Established 1885, Reestablished in 2008.”
- Could not support the color or the landscape without larger trees, at least in the O’Neill area.
- City should reserve the right to have that 3/1 replacement if the Oak trees fail.
- Whoever manages this project needs to manage the project. Walter Levinson prepared several reports at \$1300 each and all of the instructions were very clear on what the Planning Commission and City Council wanted, and then Public Works did not administer the project. If they can’t do that, the Redevelopment Agency needs to find someone who can.

Commissioner McKenzie:

- Agreed that the landscaping should be simplified. Not concerned that the City could not maintain the landscaping – they are capable of hiring landscape gardeners. It does not have to be City staff that is managing the property day to day.
- The vinyl clad fencing is anything but period representative; it is cheap looking and not the image with which they want to surround this house.
- Concerned about patching and filling the roof. The roofing material is a large part of the design element that one sees on this house and he did not believe they should compromise design to look for ways to save some money on roofing materials.
- Felt they were at impasse on discussing the interior design, and that the project should be continued until the Redevelopment Agency and City Council make decisions about the intended use of this house. They can then contract an architect to design an interior that is consistent with the intended marketable use of the property.

Commissioner Reed:

- Recommended that the house get placed on its foundation as soon as possible, regardless of what the Commission does. He agreed that it would be terrible if a simple earthquake toppled the entire historic project. As long as the Commission was not holding up getting the house on its foundation, the more detailed design issues could be continued.
- Regarding the fence material proposed, he recommended that wood or wrought iron may be a better choice than wire as they were from that time period. He felt the paint colors chosen were garish.

Commissioner Mayer:

- Confirmed with CDD de Melo that placing the house on its foundation could proceed even if the Commission continued the project.
- Liked the idea of simplifying the landscaping to something that meshes a lot more closely with what is on the historical photograph.
- Felt that if the Oak tree that is proposed to be taken out is kept, the Canary Island Palm has to be moved because he did not think the two of them could stay close together.

CDD de Melo recommended that the Commission limit its decision to the Design Review entitlement, noting that the interior layout decisions will be made by the RDA after they determine the sale vs. rental issue.

Chair Parsons reviewed the Design Review Principles of Section 13.5.3 as listed in the draft Resolution, noting as follows:

- They do not propose any changes in windows or doors. Regarding the massing of the buildings, whether the units are sold or rented, he suggested the addition of a place for storage of maintenance equipment, perhaps by “poking” the back corners of the garages out so there is more space in the garages.
- He believed they all agreed that they need more larger trees to mitigate the height of the building.
- They have concerns about the roof materials.
- Exterior color has created a problem and is something that needs to come back to the Commission. He suggested that perhaps the architect’s color consultant could make some alternative suggestions, adding

that there is not anything that bright on that scale in the neighborhood.

- He believed they all had a problem with the fence, and suggested that the wrought iron trim that is used at the top of the building and on the garage be considered as an alternative for the fence.
- He thought they had a general consensus that hedges and screen plantings would need to come back to the Commission; they need to be more in tune with the character of the house, probably more foundation planting and focus planting around the entrances that would be around a house of that era and easier to maintain. He suggested meeting with Public Works and Parks & Recreation maintenance people to determine their thinking on that issue.

Vice Chair Horton stated that she believes some Commissioners think the fence as proposed is ok. She asked for a show of hands of who would go for the current design but galvanized instead of vinyl coated. This was agreed to by the majority of Commissioners by a show of hands. Chair Parsons added that he would like to see a gate detail.

Responding to Commissioner Mercer's question, staff confirmed that there is an enclosure to hold garbage cans at the back of the garage.

The sign proposed by Commissioner Frautschi would be considered a plaque rather than a sign.

CDD de Melo suggested that they postpone a decision on the roofing material until they have some measure of a budget for the project. Vice Chair Horton suggested that they cannot take one thing out of context – they have to look at budget considerations for the whole project. She added that new roofing material would be low on her list.

Commissioner Mercer stated that she resented looking at one or two elements at a time without it being wrapped into a whole since there may be budget trade-offs.

Kathy Garrett, landscape architect, asked for clarification of the issue of tree height, noting that the building height when finished will be 36' and the top of the roof of the porch will be 18-19'. She pointed out that the trees in the photograph are not as tall as the house, and the two proposed Oak trees will be taller than the house at maturity. She said they could certainly plant more and questioned whether the Oak trees are required or not. Regarding the question of maintenance, she said that this plan was a result of meeting with maintenance staff and what they felt they could maintain. Whether it would be hired or in-house had not been determined. The priorities used for developing the scheme were low maintenance, low water use, historical appropriateness, usability by the tenants, including privacy of that corner which is now more exposed than it was in its previous location yet with a degree of corner visibility for motorists, no trees over the culvert because there is a utility under there, and environmental sensitivity along the creek. They were trying to diminish the amount of lawn and place it strategically in the most usable location, and the ground cover areas, which are low maintenance once established, were intended to play this role with a lot lower water use and much lower maintenance.

Responding to a question from Chair Parsons, Mr. Garavalia stated that he had met early on with Craig Ewing, and Ray Davis had provided limited review. He added that a project going over this long a period of time is obviously difficult to maintain momentum and clarity.

CDD de Melo suggested that they hold discussions regarding maintenance liability with Parks and Recreation and Public Works maintenance staffs. Chair Parsons concurred, expressing doubts that City staff is capable of taking care of it and if anybody would take care of it if it were sold.

Ms. Garrett asked for clarification as to the desired amount of canopy in the air and still had a question about the Oaks. Chair Parsons stated his personal feeling that he would like to see a couple of Oaks in the back along the creek, if feasible, but he did not necessarily want another street tree. A few more trees on front would not hurt. He liked the way they did the entrance but wanted to see what the gate will look like.

Responding to Commissioner Mercer, Ms. Garrett stated that the tulip tree is deciduous. Commissioner Mercer thought that would not do anything to soften the bulk when coming down 6th Avenue. Ms. Garrett added that the trees that are shown will be greater than the height of the house at maturity and she wondered if that was the intention the Commission was trying to convey. The proposal shows the trees at about 2/3 of their size at maturity.

MOTION: By Vice Chair Horton, seconded by Commissioner Mayer, to adopt the Resolution approving a Design Review Permit for Rehabilitation of a Designated Historic Landmark (Emmett House) at 1000 O'Neill Avenue (Appl. No. 06-0090), with the request that the following items be returned to the Commission for review: 1) proposed exterior color and material application; 2) revised landscape plan with the detail of a gate following review by internal City departments; 3) revisions to accommodate storage of maintenance equipment; and 4) the fencing as proposed substituting galvanized metal mesh for the vinyl coating.

Ayes Horton, Mayer, Mercer, McKenzie, Frautschi, Reed, Parsons  
Noes: None

Motion passed 7/0

Chair Parsons announced that this item may be appealed to the City Council within 10 calendar days.

Chair Parsons added his very strong recommendation that several Commissioners meet with somebody on the City staff and maybe the RDA to discuss financial aspects of this project before any interior design is finalized. CDD de Melo stated that he will schedule a meeting with the Finance Director.

Chair Parsons requested that quick action be taken to correct what is going on with the maintenance of the trees that exist on the site. CDD de Melo responded that he had been addressing that issue the day of the meeting and would follow through.

## 6. REPORTS, STUDIES, UPDATES AND NEW BUSINESS

CDD de Melo reported as follows:

### 6A. Motel 6 – 1101 Shoreway Road

There will be a June meeting to check in with their Security detail.

### 6B. NDNU (Koret) Athletic Field

Received information from the acoustic consultant that the draft acoustic study is done. Could have it in his possession next week.

### 6C. Charles Armstrong School – 1405 Solana Drive

All the people are in place relative to who from City staff, Parks and Rec. Commission and Neighborhoods First will be meeting with CAS. Now attempting to coordinate everyone's schedule.

### 6D. Ralston/US-101 Landscape Project

No information since last meeting.

### 6E. 1109 Alomar Way

The Commission has been provided an update on the status of this project.

Thanked Commissioners for the questions he received over the last few days relative to tonight's agenda. It allowed staff time to respond to the questions and allowed the meeting to flow smoother.

Daniel Ourtiague asked him to mention that the Sudden Oak Death Workshop will be held at 7 p.m. on Thursday, May 22, in the Council Chambers and is open to all homeowners and residents.

Green Committee's second meeting was scheduled for the following evening, May 21, at 6:30 p.m. in the Emergency Operations Center and it is also open to the public.

## 7. CITY COUNCIL MEETING OF TUESDAY, JUNE 10, 2008

Liaison: Commissioner Mayer  
Alternate Liaison: Chair Parsons

Commissioner Mayer had another commitment; Chair Parsons will attend.

9. ADJOURNMENT:

The meeting was adjourned at 10:10 p.m. to a Regular Planning Commission Meeting to be held on Thursday, June 5, 2008, at 7:00 p.m. at Belmont City Hall.

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Carlos de Melo  
Planning Commission Secretary

CD's of Planning Commission Meetings are available in the  
Community Development Department.

Please call (650) 595-7416 to schedule an appointment.